

REMARKS/ARGUMENTS

Claims 61, 63, 64, 68, 69, 76, 77, 80-84 and 86 were pending in this application prior to the instant response. Claims 1-60, 62, 65-67, 70-83, 85 and 86 are canceled without prejudice or disclaimer, thus is not to be construed as abandonment of the deleted subject matter or agreement with any objection or rejection of record. Applicants explicitly reserve the right to pursue any deleted subject matter in one or more continuing applications.

Allowable claims

Applicants thank the Examiner for indicating that Claims 61, 63, 64, 68, 69 and 84 are allowed.

Rejections Under 35 U.S.C. §112

Claims 76, 77 and 80-83 remain rejected under 35 U.S.C. §112 for alleged lack of adequate written description. While not agreeing with the rejection, rather to advance prosecution, Applicants have herein cancelled Claims 76, 77 and 80-83 as well as Claim 86 which Applicants believe Examiner intended to reject as well. The rejection of Claims 76, 77 and 80-83 under 35 U.S.C. §112 are now moot.

CONCLUSION

The present application is believed to be in *prima facie* condition for allowance, and action to that effect is respectfully solicited. Should there be any further issues outstanding, the Examiner is invited to contact the undersigned agent at the telephone number shown below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 50-4634 (referencing Attorney's Docket No. GNE-0290.041 / 123851-181748).

Respectfully submitted,

Date: August 11, 2009

By: /Jeffrey C. Talkington/
Jeffrey C. Talkington (Reg. No. 58,381)

GOODWIN PROCTER LLP
135 Commonwealth Drive
Menlo Park, California 94025
Telephone: (650) 752-3100
Facsimile: (650) 853-1038

LIBC/3630517.1